



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/792,180	01/30/97	GIOUTSOS	T 60256-016

26M2/0807
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EXAMINER

HUANG, S

ART UNIT	PAPER NUMBER
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2617

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DATE MAILED: 08/07/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/792,180

Applicant(s)
Tony Gioutsos

Examiner
Sihong Huang

Group Art Unit
2617



☒ Responsive to communication(s) filed on Jan 30, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-8, 11-16, and 18-20 is/are rejected.

☒ Claim(s) 9, 10, and 17 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 3, 5, 7, 11-15 and 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, line 2, the limitation "said first inductor" lacks antecedent basis.

In claim 7, line 3, the limitation "said signals" lacks antecedent basis.

In claim 11, line 11, "said alteration" and "said vehicle safety device" of line 12 lack antecedent basis.

In claim 13, line 3, the limitation "said signals" lacks antecedent basis.

In claim 18, line 5, the limitation "said airbag" lacks antecedent basis.

In claims 19 and 20, line 2, the limitation "said oscillating field" lacks antecedent basis.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who

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has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Poznik (Patent No. 3,321,663).

Poznik discloses a system for measuring a weight upon a seating surface within a motor vehicle (Fig. 1), said system comprising: a ferromagnetic element (52) and a sensor (53).

4. Claims 1-2, 4, 6-8, 11, 13, 15, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Meister et al. (Patent No. 5,570,903).

Regarding claims 1-2, 4, 6, 8 and 11, Meister discloses a vehicle safety system (Fig. 1) comprising: a vehicle seat (12, 62); an airbag (36); crash detection circuitry (34 and col. 1, lines 43-48); an actuator (32, 70); a ferromagnetic element (20, col. 3, lines 61-65) and a first sensor (22).

Regarding claims 7 and 13, Meister also includes a second sensor (18).

Regarding claim 15, Meister discloses that the airbag is disabled basing on the signal from the first sensor (col. 3, lines 52-54).

Claims 16 and 18 are method claims which correspond to the system as discussed above. Therefore, the claimed steps read on the corresponding limitations as discussed above.

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Allowable Subject Matter

5. Claims 9-10 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 3, 5, 12, 14, 19-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gioutsos (Patent No. 5,580,084) is cited to show a system and method for controlling vehicle safety device comprising magnets, ferromagnetic element and induction coils.

Schoos et al. (Patent No. 5,618,056), Mazur et al. (Patent No. 5,454,591), Schousek (Patent No. 5,474,327), Vollmer (Patent No. 5,161,820), Blackburn et al. (Patent No. 5,605,348 and 5,232,243) and De Windt (Patent No. 3,672,699) are cited to show a system to control the actuation/operation of the airbag of a vehicle comprising sensor(s) within the seat to sense occupancy status of the seat.

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8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sihong Huang whose telephone number is (703) 305-3966.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached on (703) 305-4717.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

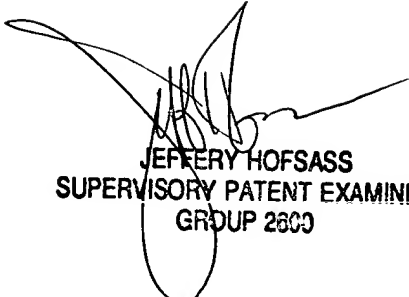
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Sihong Huang

August 1, 1997



JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
GROUP 2600